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INFO RUEHYD/AMEMBASSY YAOUNDE PRIORITY 0323
RUEHOS/AMCONSUL LAGOS PRIORITY 9728
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C O N F I D E N T I A L ABUJA 001543

SIPDIS

STATE FOR AF/W, INR/AA
DOE FOR GEORGE PERSON

E.O. 12958: DECL: 08/04/2018

TAGS: [PREL](#) [PGOV](#) [PBTS](#) [PHSA](#) [NI](#) [CM](#)

SUBJECT: NIGERIA: GON BALANCING BAKASSI HANDOVER, COURT
ORDER

REF: ABUJA 1494

Classified By: Acting Political Counselor Cheryl Fernandes for reasons
1.4. (b & d).

¶1. (C) On July 31, a Federal High Court in Abuja issued an injunction to postpone the August 14 scheduled handover to Cameroon of the disputed Bakassi Peninsula, pending resolution of a suit to stop the transfer or compensate residents. Poloff spoke on August 4 to Special Advisor to the President for Communications Olusegun Adeniyi (strictly protect), who said President Yar'Adua is "very unhappy about the court decision." Adeniyi explained that Yar'Adua is in a political "Catch 22." He cannot disregard the court order (especially given his administration's public commitment to rule of law) and he cannot disregard the International Court of Justice ruling and Greentree agreement which call for the handover. Adeniyi told Poloff that Yar'Adua remains committed to the August 14 handover and told his staff to "find a way" to make it happen.

¶2. (C) Deputy Director of Protocol for the President, Yah'ya Shuaib (strictly protect) told Poloff on August 4 that Attorney General (AG) and Minister of Justice Michael Aondoakaa is trying to find a way around the Federal Court order. Aondoakaa suggested the same in a brief exchange with CDA on August 5. (Comment: According to legal observers, this may not be easy, especially since the default position for the Nigerian courts is always to delay. We will attempt to find out more from the AG or members of his staff regarding the GON's strategy for getting around the court order. End Comment.)

¶3. (C) Comment. The GON's commitment to the Greentree agreement and the August 14 handover appears to be firm; however, the Abuja High Court decision may be a hiccup the GON cannot quickly fix. It is certainly possible that the court case could lead to a delay. We have repeatedly stressed to the GON the importance we place in Nigeria living up to its commitments under Greentree, and completing the withdrawal on time. Any delay would, in our view, increase the risk that Bakassi could become a locus for significant security problems which would affect both Nigerian and Cameroon. End Comment.

PIASCIK